

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA
NEW ALBANY DIVISION

In re:) Chapter 11
)
EASTERN LIVESTOCK CO., LLC,) Case No. 10-93904-BHL-11
)
Debtor.)

**PROPOSED AGENDA OF MATTERS SCHEDULED FOR
HEARING ON MARCH 12, 2012 AT 10:00 A.M. EDT**

James A. Knauer, the chapter 11 trustee appointed in this case ("Trustee"), by counsel, submits this proposed agenda for the hearing scheduled for March 12, 2012 at 10:00 a.m. EDT ("Hearing") in Room 103, U.S. Courthouse, 121 West Spring Street, New Albany, Indiana. The Trustee anticipates that the matters before the Court for the Hearing will take approximately two (2) hours.

I. DIAL IN INFORMATION

The dial-in telephone number for interested parties to participate in the Hearing by conference call is 1-888-399-7768; passcode 586676, followed by the pound ("#") key.

II. CONTINUED MATTERS

1. **["Motion to Consolidate"]** Motion to Consolidate Cases (docket #975) *continued from February 13, 2012*
 - a) Trustee's Response To Florida Creditors' Rule 7042 Motion To Consolidate (docket #1018)
 - b) Florida Creditors' Motion To Seal Reply To Trustee Response And Notice Of Filing Evidentiary Materials In Support Of Florida Creditors Rule 7042 Motion To Consolidate And For Expedited Hearing (docket #1027)

Status: *Going forward*

2. **["Motion for Protective Order"]** Motion of Fifth Third Bank, N.A. to Limit or, Alternatively, for a Protective Order (docket #1005) *continued from February 13, 2012*

- a) Exhibits A & B To Motion Of Fifth Third Bank, N.A. To Limit Discovery Or, Alternatively, For A Protective Order (Dkt No. 1005) (docket #1011)
- b) [Joplin Regional Stockyards and Superior Livestock Auction, Inc.] Objection To Motion Of Fifth Third Bank To Limit Discovery Or , Alternatively, For A Protective Order (docket #1021)
- c) [Florida Creditors] Joinder In Objection To The Trustee's Motion For Release Of Proceeds From Account (docket #1024)
- d) [The First Bank and Trust Company] Objection To Motion Of Fifth Third Bank, N.A. To Limit Discovery Or, Alternatively, For A Protective Order (docket #1025)

Status: *Order Granting in Part and Continuing in Part the Motion of Fifth Third Bank, N.A. to Limit Discovery, or, Alternatively, for a Protective Order (docket #1051)*

III. NEW MATTERS

- 3. **["Peoples Bank Settlement"]** Motion To Approve Compromise And Settlement With Peoples Bank And Trust Company Of Pickett County (docket #990)

Status: *No objection filed; going forward*

- 4. **["Sale Motion"]** Motion For Order Approving Proposed Auction Sale Of Real Estate Free And Clear Of Liens, Claims And Encumbrances Pursuant To 11 U.S.C. § 363 (docket #1046)

Status: *No objection filed; going forward*

- 5. **["Employment Application"]** Application To Employ Ken Byrd Realty & Auction, Inc. As Auctioneer (docket #1047)

- a) Affidavit Of Ken Byrd In Support Of Application To Employ Ken Byrd Realty & Auction, Inc. As Auctioneer (docket #1048)

Status: *No objection filed; going forward*

- 6. **["Employment Application"]** Application To Employ Kroger, Gardis & Regas, LLP As Special Counsel To Chapter 11 Trustee (docket #1056)

Status: *No objection filed; going forward*

7. **["Elmore"]** Trustee's Motion To Stay Deadlines In Elmore Contested Matter (docket #1072)

Status: *No objection filed; going forward*

8. **["Coffeyville"]** Trustee's Motion To Stay Deadlines In Coffeyville Contested Matter (docket #1073)

Status: *No objection filed; going forward*

IV. ADVERSARY PROCEEDINGS

9. **["Downs"]** James A. Knauer, Chapter 11 Trustee of Eastern Livestock Co., LLC vs Willie Downs (Adv. Proc. 11-59086)

- a) [Bluegrass Stockyards, LLC, Bluegrass Stockyards East, LLC, and Bluegrass Stockyards of Richmond, LLC] Motion For Determination As To Confidentiality Of Documents Produced To Data Room Or, Alternatively, To File Documents Under Seal As Required By Discovery Protocol And Confidentiality Agreement (docket #52)

Status: *Going forward*

10. **["Superior"]** Superior Livestock Auction, Inc. vs Eastern Livestock Co., LLC (Adv. Proc. 11-59088)

- a) Motion Pursuant To Fed R. Bankr. P. 9006(c) For Emergency Hearing On Motion Of Fifth Third Bank, N.A. To Limit Discovery Or, Alternatively, For A Protective Order (docket #120)

Status: *Going forward*

11. **["Friona"]** Friona Industries, LP, et al. vs Eastern Livestock Co., LLC, et al. (Adv. Proc. 11-59093)

- a) Motion of Fifth Third Bank, N.A. to Limit or, Alternatively, for a Protective Order (docket #366)
- b) [Bluegrass Stockyards, LLC, Bluegrass South Livestock Market, LLC, Bluegrass Stockyards East, LLC, Bluegrass Stockyards of Campbellsville, LLC, Bluegrass-Maysville Stockyards, LLC, Alton Darnell, East Tennessee Livestock Center, Inc., Moseley Cattle Auction, LLC, Piedmont Livestock Company, Inc., and Southeast Livestock Exchange, LLC] Motion For Determination

As To Confidentiality Of Documents Produced To Data Room Or,
Alternatively, To File Documents Under Seal As Required By
Discovery Protocol And Confidentiality Agreement (docket #376)

- c) Walter Scott Newbern III 's Notice Of Appearance And Motion to Intervene (docket #383)

Status: *Going forward*

- 12. **["Innovative"]** Innovative Livestock Services, Inc., et al. vs Eastern Livestock Co., LLC, et al. (Adv. Proc. 11-59098)

- a) Motion of Fifth Third Bank, N.A. to Limit or, Alternatively, for a Protective Order (docket #59)

Status: *Going forward*

- 13. **["Rush Creek Ranch"]** Rush Creek Ranch, LLLP vs Eastern Livestock Company, LLC, et al. (Adv. Proc. 11-59104)

- a) Florida Creditors Rule 7042 Motion To Consolidate (docket #29)
- b) Motion of Fifth Third Bank, N.A. to Limit or, Alternatively, for a Protective Order (docket #34)
- c) Trustee's Response To Florida Creditors' Rule 7042 Motion To Consolidate (docket #38)

Status: *Going forward*

- 14. **["Fredin Brothers"]** Fredin Brothers, Inc. vs Bankers Bank, et al. (Adv. Proc. 11-59108)

- a) Motion of Fifth Third Bank, N.A. to Limit or, Alternatively, for a Protective Order (docket #79)

Status: *Going forward*

V. RELATED CASES

In re East-West Trucking, Case No. 10-93799

- 15. **["Claims Objection"]** Trustee's First Omnibus Objection To Claims And Notice Of Response Deadline (docket #257)

- a) Stipulation Resolving Trustee's First Omnibus Objection To Claim Of Cattlemen's Feedlot, Ltd (Claim 38) (docket #259)
- b) Response of Fifth Third Bank to Trustee's First Omnibus Objection to Claims and Notice of Response Deadline (docket #262)
- c) ELC Trustee's Response To Trustee's First Omnibus Objection To Claims And Notice Of Response Deadline (docket #263)
- d) Creditor Grant Gibson's response (docket #265)
- e) Stipulation Resolving Trustee's First Omnibus Objection to Claim of Grant Gibson (Claim 30) (docket #276)

Status: *Agreed Motion To Continue Hearing filed (docket #277)*

In re Thomas and Patsy Gibson, Case No. 10-93867

16. **["Trustee K. Pry's Extension of Time"]** Trustee's Motion for Third Extension of Time to File Complaint Objecting to the Debtors' Discharge (docket #493)
- a) Debtors' Objection To Third Motion Of Kathryn L. Pry, Trustee For Extension To Time To File A Complaint Objecting To Discharge (docket #522; 534)

Status: *Going forward*

17. **["The First Bank And Trust Company's Extension of Time"]** Motion For Extension Of Time To File A Complaint Objecting To Discharge Of The Debtor Or To Determine Dischargeability Of Certain Debts (docket #494)
- a) Debtors' Objection To Motion Of The First Bank And Trust Company For Extension To Time To File A Complaint Objecting To Discharge (docket #525; 537)

Status: *Going forward*

18. **["Trustee J. Knauer's Extension of Time"]** Third Motion For Extension Of Time To File Complaint Objecting To The Debtors' Discharge And To Challenge Dischargeability Of Certain Debts (docket #495)
- a) Debtors' Objection To Third Motion Of James A. Knauer, Trustee For Extension To Time To File A Complaint Objecting To Discharge (docket #523; 535)

Status: *Going forward*

19. **["U.S. Trustee's Extension of Time"]** United States Trustee's Motion For Extension Of Time Within Which To File Complaint To Deny Discharge (docket #496)
- a) Debtors' Objection To Motion Of United States Trustee For Extension To Time To File A Complaint Objecting To Discharge (docket #521; 533)

Status: *Going forward*

20. **["Fifth Third Bank's Extension of Time"]** Third Motion Of Fifth Third Bank For Extension Of Time To File A Complaint Objecting The Discharge Of The Debtor And/Or To Determine The Dischargeability Of Certain Debts (docket #497)
- a) Debtors' Objection To Motion Of Fifth Third Bank For Extension To Time To File A Complaint Objecting To Discharge (docket #524; 536)

Status: *Going forward*

21. **["Bluegrass Companies' Extension of Time"]** Bluegrass Companies' Motion For Third Extension Of Time To Object To Discharge And/Or Dischargeability Of Debt (docket #501)
- a) Debtors' Objection To Third Motion Of The Bluegrass Companies For Extension To Time To File A Complaint Objecting To Discharge (docket #520; 532)

Status: *Going forward*

VI. NEXT SCHEDULED HEARINGS

The dial-in telephone number for interested parties to participate in the upcoming scheduled hearings, as indicated below, by conference call is 1-888-399-7768; passcode 586676, followed by the pound ("#") key. The hearings will be held in Room 103, U.S. Courthouse, 121 West Spring Street, New Albany, Indiana.

<u>Hearing Date</u>	<u>Time</u>
April 23, 2012	10:00 a.m. EDT
May 14, 2012	10:00 a.m. EDT
June 11, 2012	10:00 a.m. EDT

Respectfully submitted,

FAEGRE BAKER DANIELS LLP

By: /s/Terry E. Hall

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CERTIFICATE OF SERVICE

I hereby certify that on March 9, 2012, a copy of the foregoing pleading was filed electronically. Notice of this filing will be sent to the following parties through the Court's Electronic Case Filing System. Parties may access this filing through the Court's system.

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